

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 9/14/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE PENSION PLAN OF :
THE PENSION FUND OF AMALGAMATED :
PRODUCTION & SERVICE EMPLOYEES :
LOCAL 22 F/K/A TRUSTEES OF THE :
PENSION FUND OF AMALGAMATED, :
INDUSTRIAL AND TOY & NOVELTY :
WORKERS OF AMERICA, LOCAL 223, :
 :
Plaintiff, :

1:20-cv-9608-GHW

ORDER

-v -

POP DISPLAYS, LLC a/k/a POP DISPLAYS :
USA, LLC a/k/a POP DISPLAYS HOLDING :
CORP. and COUNTERPOINT CAPITAL :
PARTNERS, LLC, :
 :
Defendants. :

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GREGORY H. WOODS, United States District Judge:


On May 13, 2022, the Court ordered the parties in this case to submit pretrial materials no later than September 12, 2022. Dkt. No. 80. The parties have now represented that they “expect to have a settlement agreement signed imminently, and do not intend on proceeding with a trial.” Dkt. No. 85. Accordingly, the Court hereby stays the deadline for receipt of pretrial materials outlined in the Court’s Individual Rule 5 until **September 26, 2022**, so that the parties may finalize settlement. If the parties have not finalized settlement by that date, the parties are also directed to submit to the Court, by that same date, affidavits constituting the direct testimony of each trial witness, except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, medical expert testimony, or a person for whom a party has requested and the Court has agreed to hear direct testimony during the trial. Three business days after submission of such affidavits, counsel for each party should submit a list of all affiants whom he or she intends to cross-examine at the trial. The original affidavits will be marked as exhibits at trial.

Any motions *in limine* must also be filed, if no settlement is finalized, no later than **September 26, 2022**. As outlined in the Court's Individual Rule 5(B)(i), if any motions *in limine* are filed, opposition papers are due no later than seven days after the date of service of the motion. Reply papers, if any, are due no later than four days after the date of service of the opposition. Courtesy copies of motions *in limine* should be submitted when the motions are fully briefed; courtesy copies of all other trial materials are due when filed.

The Court's final pretrial conference remains scheduled for **November 7, 2022 at 10:00 a.m.** to discuss the parties' pretrial submissions and, if necessary, to hear oral argument and potentially rule on any motions *in limine* in the event no settlement is finalized. Both the trial and the final pretrial conference will take place in Courtroom 12C of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan U.S. Courthouse at 500 Pearl Street, New York, New York, 10007.

SO ORDERED.

Dated: September 14, 2022
New York, New York



GREGORY H. WOODS
United States District Judge